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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,222	04/08/2004	Arra D. Yeghiayan	H-608	9395

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EXAMINER

LUBY, MATTHEW D.

ART UNIT	PAPER NUMBER
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3611

DATE MAILED: 07/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/821,222

Applicant(s)

YEGHIAYAN ET AL.

Examiner

Matt Luby

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 April 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-20 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/08/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 16 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification does not disclose that the load support is integral to the backplate (as recited in claim 16).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 4, 7-15 and 17-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Fuchigami (5,087,280).

Fuchigami discloses the claimed invention including a base having a planar backplate (50), a retractable, inflatable, unitary membrane (70) and means for providing

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pressurized fluid to the membrane (56) that is supported by the backplate (since the pressurized fluid providing means is located on the device 10 it is supported by the backplate to the extent claimed), a stencil and dimple assembly (52) connected through the membrane and to the base (through the middle of the membrane as shown in Figures 3 and 5A-5C) and fluid distribution means comprising a backplate manifold connected to the backplate and each of the fluid bearings (54 as shown in Figures 5A-5C show the backplate manifold), fluid flow control means connected to the backplate manifold (flow control means is in the form of a pressure regulator 62 and a valve 64), wherein the plurality of fluid bearings form a grid (evident from Figure 3), wherein the means for providing pressurized fluid is either an on board pressurized fluid tank or an external pressurized fluid source (56 is either on board or external); wherein the fluid is selected from gas, air compressed air, water and oil (col. 2, lines 20-21), a component selected from the group: workbench, cabinet and equipment being supported by an attached to the base (the component is equipment, particularly a machine for manufacturing curved glass sheets with upper and lower molds - is all connected to the frame 12 attached to the base, 50) and means for providing electrical power to the means for providing pressurized fluid (since 56, 60, 62 and 64 require electrical power to operate, means for providing electrical power must be necessarily present as this is the nature of devices that require electrical power).

Claim 16 is rejected under 35 U.S.C. 102(b) as being anticipated by Fuchigami (5,087,280).

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Fuchigami discloses the claimed invention including a base having a planar backplate (50), a retractable, inflatable, unitary membrane (70) and a load support (52) integral to the backplate (see Figures 5A-5C).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fuchigami in view of Johnson (5,967,666).

Fuchigami discloses all of the claimed limitations except that a bonding layer is attached to the membrane and backplate providing for fluid passage therebetween. Johnson discloses that bonding layer (120) may provide fluid passage between a backplate (110) and a membrane (130) in order to provide an easier to manufacture and less costly air bearing (col. 3, lines 1-5). It would have been obvious to one of ordinary skill in the art at the time of the invention to provide a bonding layer is attached to the membrane and backplate providing for fluid passage therebetween on the Fuchigami invention, as taught by Johnson, in order to provide an easier to manufacture and less costly air bearing.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fuchigami in view of Chafee et al. (4,815,926)

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Fuchigami discloses all of the claimed limitations except that the means to provide pressurized fluid is a blower, compressor or pump. Chaffee et al. disclose that a means to provide pressurized fluid can be a blower (34) in order to provide a fully self contained, compact transportation means relying on no external sources of electrical or air power (col. 1, lines 64-67). It would have been obvious to one of ordinary skill in the art at the time of the invention to provide except that the means to provide pressurized fluid is a blower, compressor or a pump on the Fuchigami invention, as taught by Chaffee et al., in order to provide a fully self contained, compact transportation means relying on no external sources of electrical or air power.

Allowable Subject Matter

Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art fails to disclose that the bonding layer is an adhesive film.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure because it relates to fluid bearings.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matt Luby whose telephone number is (571) 272-6648. The examiner can normally be reached on Monday-Friday, 9:30 a.m. to 6:00 p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on (571) 272-6612. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Matt Luby
Examiner
Art Unit 3611

ml
July 7, 2005